



**DUNAY
MISKEL
BACKMAN** LLP

Gary Dunay
Bonnie Miskel
Scott Backman
Eric Coffman

Hope Calhoun
Dwayne Dickerson
Ele Zachariades
Matthew H. Scott

Christina Bilenki
Lauren G. Odom
Nicole Jaeger
Rachael Bond Palmer

August 13, 2021

Maggie Barszewski, AICP
City of Pompano Beach
Planning and Zoning Board
Development Services

RE: PZ # 20-05000003 – Falcone Flex Unit Application Summary of Project and Project Changes
3151 - 3251 Federal Highway (“Property”)

Dear Maggie:

The undersigned attorney represents the owner of the above-referenced Property and the current applicant for flex units for the Property. The purpose of this letter is to provide a summary of the proposed project and an update of the various changes that have been made to the project since it was originally submitted in 2020 as the project move towards the Planning and Zoning Board and City Commission hearings.

The property owner is 1307 South Wabash, LLC (“Owner”). In April 2020, the Owner submitted a flex application requesting 285 residential units. Concept plans for a mixed-use project were submitted with the initial flex application. City staff provided review comments shortly thereafter relative to the concept plan, and the Owner’s agents began preparing plan revisions.

In late 2020, rather than continuing to pursue the flex application directly, the Owner entered into a contract to sell the Property to Falcone & Associates, LLC (“Falcone”). Falcone prepared plans for a multi-family project and met with senior staff at the City in early 2021 to discuss the plans and overall project. After that meeting, Daniel Keester confirmed Falcone could submit a revised flex application to replace the previously submitted flex application submitted by the Owner instead of submitting an entirely new flex application. Falcone also met with the Board for the Cresthaven Civic Association in early 2021 to present the plans and receive their feedback.

In April 2021, Falcone submitted a revised flex application requesting 276 residential units for a multi-family project. Falcone also submitted a pre-application meeting request in relation to the major site plan application for the new project. City staff provided review comments for the revised flex application and the major site plan application. In response to those comments, Falcone revised the plans to change the project from a multi-family project to a mixed-use project. Specifically, Falcone proposed commercial space on the ground floor of the buildings along Federal Highway and 285 multi-family residential units spread across three buildings.

Page 1

14 S.E. 1st Street, Suite 36, Boca Raton, FL 33432 | Tel: (561) 409-7000 | Fax: (561) 409-2341 | www.dmbblaw.com

P&Z

P&Z

PZ20-05000003
9/22/21

PZ20-05000003
10/27/21

Importantly, the plans comply with the residential compatibility standards by stepping down the height of the buildings on the west side of the property.

As of the date of this letter, Falcone's major site plan application has been reviewed via pre-app and one round of DRC. Last week, Falcone resubmitted the major site plan to DRC to address the remaining outstanding site plan comments, none of which will require major modifications to the overall layout of the plan. Falcone has also resubmitted the flex request so the flex request can move forward to the Planning and Zoning Board and City Commission. Pamela Stanton has reviewed the major site plan and the revised flex unit concept plans.

With this letter, Falcone will submit the revised concept plans, survey, revised justification statement, and responses to the latest round of flex unit comments from city staff. Falcone previously submitted the original signed application and all other required documents for the flex application.

Please contact the undersigned should you have any additional questions. Thank you for your assistance with this project.

Sincerely,



Matthew H. Scott, Esq.
Dunay, Miskel & Backman, LLP

P&Z

PZ20-05000003
9/22/21

P&Z

PZ20-05000003
10/27/21